

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	Case No. 3:11-cr-79
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
THERON E. LEWIS (1),	:	
KEITH A. WATSON (2),	:	
	:	
Defendants.	:	

ORDER

This case is before the Court on Defendants' Motion to issue subpoenas pursuant to Fed. R. Crim. P. 17(a). (Doc. 40). Defendants seek to subpoena Brandy Hurston, Cassandra Powers and Torrance Burg for the initial hearing on Defendants' Motions to Suppress identification testimony.

The Court previously bifurcated the issues presented in Defendants' Motions to Suppress, without any opposition by Defendants. (Doc. 38). Accordingly, in light of the previously entered bifurcation order, the Court finds that testimony of the persons identified in Defendants' request for issuance of subpoenas is premature, and therefore, Defendants' Motion is **DENIED**.

IT IS SO ORDERED.

Date: September 21, 2011

s/ Timothy S. Black
Timothy S. Black
United States District Judge